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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/147,398 04/02/99 KAULE

W JEK-KAULE

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QM22/0413

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EXAMINER

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ART UNIT

PAPER NUMBER

3722

9

DATE MAILED: 04/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/147,398

Applicant  
Kaule et al.

Examiner  
Erica Ergenbright

Art Unit  
3722



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 2, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-22, 24, 25, and 28-36 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-22, 24, 25, and 28-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Apr 2, 1999 is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on Feb 1, 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Faxing of Responses to Office Actions***

1. In order to reduce pendency and avoid potential delays, TC 3700 is encouraging FAXing of responses to Office Actions directly into the Group at (703) 305-3579. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into TC 3700 will be promptly forwarded to the examiner.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the substructure that is "meander-shaped or extends at least in partial areas parallel to a direction of said line" of claim 24 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Note that this objection was necessitated by applicant's amendment as examiner previously stated (in a 35 U.S.C. 112, second paragraph rejection) that it was unclear whether the substructure being claimed was the substructure 30 referred to in the specification, or whether it was in fact the tool track. The drawings do show a meander-shaped tool track, but do not show any details of the claimed shape of the substructure 30.

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3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specification as originally filed (as was previously pointed out to applicant in the 35 USC 112, second paragraph rejection that pertained to the substructure) does not provide antecedent basis for the limitation in claim 24 regarding the substructure being “meander-shaped” or extending “at least in partial areas parallel to a direction of” the engraved depression line. The specification as originally filed also does not provide proper antecedent basis for the following claim limitations: “the substructure represents machine-readable information” in claim 30; and “the substructure is executed in the form of grooves” in claim 31.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 34 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey

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to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no support in the specification as originally filed for the step of using an embossing or intaglio printing plate having the substructure as set forth in original claim 23 and now set forth in claim 24 as "an original on which production of additional embossing or intaglio printing plates is based". In fact, the specification teaches that a "two-dimensional line original" is "produced in a computer or read in via input devices" (specification, page 2, lines 6-19), but does not specifically provide that the embossing or intaglio printing plate having the features set forth in claim 24 is used as an original to produce further plates. In fact, the only place in the specification as originally filed that seems to mention using a "master" plate is in the description of the prior art on page 1 ("If this original plate is damaged or lost, no identical plate can be produced since each plate is an individual production." and "An original is scanned and the resulting signal used via an analog-to-digital converter for controlling the laser with which engraved cups of defined depth and extension are brought into the printing cylinder."). Note that the original claim 34 did not call for the plate to be used as "an original", but merely stated that "the engraved object" was used "for producing embossing or printing plates". In the interest of furthering patent prosecution in this case, the new matter of claim 34 described above in the 112, first paragraph rejection of claim 34 is not being considered for purposes of an analysis of claim 34 with respect to the prior art.

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7. Claims 1-18, 20-22, 24-25, and 28-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-18, 20-22, 24-25, and 28-36 are replete with instances that do not particularly point out and distinctly claim the subject matter of applicant's invention. Examples of these instances are listed below, but these instances are not limited to the listed examples. Applicant is advised to closely review the claims for other occurrences.

There are several positively recited limitations that lack sufficient antecedent bases in the claims. Examples of these are: "the surface of the residual area" in claims 8 and 9 (previously claimed was an embossing plate surface); "the at least one partial area" in claim 1; "the engraving tool" in claim 1; "said depression" in claim 24 (previously "at least one engraved depression", with emphasis on "at least one"); and "the depression" in claim 24 (previously "at least one engraved depression", with emphasis on "at least one").

In claim 1, line 3, it is unclear whether or not "at least one line" is the same line as claimed in line 2. Note that if the line in lines 2 and 3 are the same, then the claim language should be amended to reflect this. Examiner suggests inserting --at least one-- before "line" in line 2 and inserting --the-- or --said-- prior to "at least one line" in line 3. However, if these lines (in lines 2 and 3) are not the same, then further limitations are needed to define what line(s) are being described in line 3.

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It is unclear in claim 1, last two lines, whether or not "a partial area" is the same as either of "a limited partial area" or "the at least one partial area" that were previously set forth in the claim. ✓

In claim 1, lines 2-3, there is no structure to support the function of bringing a line into the surface of the embossing plate.

Claims 34 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: any step to define "using the embossing or intaglio printing plate".

*Claim Rejections - 35 USC § 102/103*

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 24-25 and 28-35, as best understood, are rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 2,210,923 (Jacquerod et al) or, in the alternative, under

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35 U.S.C. 103(a) as obvious over U.S. Patent No. 2,210,923 (Jacquero et al.) in view of U.S. Patent No. 4,972,323 (Cauwet). The limitation in claim 24 that states “a substructure engraved into said depression”, and the limitations in claims 32 and 33 that also define how the substructure is “brought in” make it appear that the claims 24-25 and 28-35 are product-by-process claims.

“[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by using a different process.” *In re Thorpe*, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985). Also see MPEP § 2113.

Jacquero et al. teaches an intaglio printing plate 10 (page 2, left column, lines 38-42 and Figure 1) which has a depression 11 in the shape of a “one” which constitutes a line, which depression is shown in Figures 1-3 as having flanks and a bottom. Jacquero et al. also teaches that the printing plate 10 has substructures 11a at least in the bottom of the depression representing “additional information” similar to that of the present invention, where the width of each of the substructures is smaller than the depression 11 width (see Figures 1-3). The substructures 11a define a roughness, as shown in Figure 2. Specifically regarding claim 29, the layout of the substructures 11a could be considered to



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be a "pattern". Specifically regarding claim 30, the substructures 11a could be "read" by a machine such as a camera or a scanner. Specifically regarding claim 31, the substructures as shown in Figures 1-3 could be considered to be grooves. Regarding claim 24, a line could be drawn that connects the substructures, which line could be parallel to at least one of the depression flanks, and which could also be drawn in a meandering fashion. Regarding the way that the lines and the substructure were brought in, Jacqueros teaches that it is known to use "mechanical" cross hatching (page 1, left column, lines 10-24) to bring in a substructure, which inherently includes the use of a "mechanical chisel".

In the alternative, Cauwet teaches that it is known to use a "milling cutter, engraving chisel, laser emitter, electro-erosion tool, etc." (column 2, lines 50-55) in an automatic engraver (column 1, lines 14-18) such that the tool chosen is suitable to the material being engraved (column 1, lines 14-18 and column 2, lines 50-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have created the lines and substructures taught by Jacqueros et al. via engraving with a laser or a mechanical chisel, as taught by Cauwet, as these are known methods of material removal/engraving. Specifically regarding claim 35, as previously stated, there are no method steps provided as to how the plate is used "for producing documents of value". However, the printing plate 10 is described as being inked and re-inked (page 2, left column), so presumably, the printing plate is going to be used for

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printing, and could thus be used to print whatever was desired or expedient, including “papers of value”. Note that applicant has even admitted (page 1 of specification as originally filed, lines 3-6) that intaglio and embossing printing plates are “usually employed” for printing papers of value. Specifically regarding claim 34, also as previously stated, there are no method steps provided as to how the plate is used “as an original”. However, the plate 10 is a printing plate, and applicant teaches that it is known to use an original plate as a model for producing further identical plates (specification as originally filed, page 1, lines 12-14). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the plate taught by Jacquerod as a model for producing further identical plates, as such practice was known in the art as admitted by applicant, and would thus be a “tried-and-true” method of producing multiple printing plates as would be required for mass production.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-3, 5-11, 14, 16-18, 20, and 36 as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,949,270 (Shima et al.).

Shima et al. teaches a device for and method of machining a pocket of a desired contour

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into a surface (column 1, lines 58-68, and column 2, lines 1-4), which constitutes a similar problem solving area to the instant invention. Shima teaches performing such machining at a predetermined depth of cut (column 1, lines 13-15). Shima teaches the use of a tool path 4 that is "intersection-free" as well as at least partially "contour-parallel" to the desired contour 1 (see Figure 16), and which tool path only requires one traverse of the tool (see Figure 16). Shima also teaches that it is known to use a tool path that removes residual area with a second tool track (Figure 13c) which removes material either in tracks which are "contour-parallel" to the desired contour (Figure 13c).

Alternatively, any time the tool "turns", it could be said to create a new tool path (i.e., the second tool track as claimed in claim 7). For example, in Figure 13b, the tool path starts at the top going from right to left, which could constitute a first track, and then it proceeds to turn and move from top to bottom, which could constitute a second tool track. Shima also teaches that it is known to use a "meander" shaped tool path (see Figure 13b). Specifically regarding claims 10 and 11, when material is removed, a new surface having a roughness will be formed, and when the material is removed via a tool having any of the paths taught by Shima, the new surface will have grooves of one size or another.

Specifically regarding claim 14, the desired contour is defined with the aid of a data processing system (column 2, lines 30-46). Specifically regarding claim 18, tools of different kinds or dimensions can be used, or it would not be necessary to define the tool shape and diameter as described in column 3, lines 49-52. Shima et al. does not

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specifically teach that the method of cutting is used for an embossing plate, nor that several workpieces are machined simultaneously, nor that one workpiece is machined with several tools simultaneously, nor that the machining is performed with a rotating tool. However, the machining method taught by Shima et al. can be used to machine a pocket of a desired contour into any workpiece having an accessible surface. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the method of the present invention to machine a desired contour into a printing plate, since a printing plate is a workpiece with an accessible surface. Regarding the multiple workpieces or multiple tools, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized multiple workpieces or multiple tools, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. Regarding the rotating tool, pocket machining or “end face finishing” (column 3, lines 25-30) requires a rotating tool in order to produce the quality of finish that characterizes a “finishing” operation.

13. Claims 4, 12, 13, and 15, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,949,270 (Shima et al.) as applied to claim 1 above, and further in view of U.S. Patent No. 4,972,323 (Cauwet). Shima et al. teaches the aspects of the invention as claimed in claims 4, 12, 13, and 15 as set forth in the above rejection based thereon. Regarding claim 13, Shima additionally teaches the

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cutting of “humanly recognizable” shapes or images (see Figure 16, for example).

However, Shima et al. does not teach varying the depth of cut, nor using a laser engraving tool. Cauwet teaches the use of an engraving tool having three axes of movement (column 1, lines 22-25) to vary the depth of cut (column 14, lines 3-17) and to set multiple tooling passes (“one or more further engraving steps” as claimed in claim 12) (see column 14, lines 34-36) in a flat plate workpiece (column 2, lines 5-6). Cauwet also teaches that the engraving tool can be a milling cutter or laser, with the specific type of engraving tool used being dependent on the material of workpiece used (column 2, lines 50-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have varied the depth of cut, as taught by Cauwet, in the cutting process taught by Shima et al. for the purpose of being able to engrave images of a higher complexity (Cauwet, column 2, lines 15-20) into the flat workpiece taught by Shima et al. It would also have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized a laser engraving tool, as taught by Cauwet, to engrave a workpiece with the engraving method taught by Shima et al, for the purpose of being able to engrave workpieces made of materials that are not suitable for engraving with a rotary engraver (Cauwet, column 2, lines 50-55).

14. Claims 21 and 22, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,949,270 (Shima et al.) as applied to claim 12 above, and further in view of U.S. Patent No. 4,972,323 (Cauwet) as applied to claim

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above, and further in view of U.S. Patent No. 2,210,923 (Jacquerod et al.). Shima et al. in view of Cauwet teaches all aspects of the invention as claimed in claims 21 and 22 as set forth in the above rejection of claim 12 based thereon, but does not teach different precisions of engraving tools. Jacquerod et al. teaches an flat intaglio printing plate that has a large removed area 11 in a surface of the plate 10 in a desired shape contour. Jacquerod also teaches finer removed areas 11a, which as shown in Figure 3, appear to be on sloping flanks of the desired contour. At the time that Jacquerod's invention was made (patented 1940), the available technology to engrave the finer removed areas 11a was not practical (page 1, left column, lines 9-24). However, with the technology set forth in Shima et al. in view of Cauwet, the technology to engrave these finer areas with a smaller tool than was used to engrave the larger contour was practical at the time the present invention was made. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have substituted the intaglio printing plate with removed areas of differing precision taught by Jacquerod et al. for the flat workpiece taught by Shima et al. in view of Cauwet, and thus to have used the cutting methods and tools taught by Shima et al. in view of Cauwet to machine the areas of differing precision in order to be able to quickly and precisely remove the desired area from the intaglio printing plate.

***Response to Arguments***

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15. Applicant's arguments filed February 1, 2001 have been fully considered but they are not persuasive.
16. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the substructures are "lines" rather than dimples, applicant's arguments page 8, paragraph 4a) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Additionally, it is noted that U.S. Patent No. 2,210,923 (Jacquerod) teaches that crosshatching could be used rather than dimples for a substructure, which crosshatching would be linear. Also note that if applicant is stating that the depression in the shape of a "one" taught by the Jacquerod reference does not constitute a line, applicant's attention is directed to Figure 1 of the Jacquerod patent which clearly shows a number of linear portions of the depression.
17. In response to applicant's argument that U.S. Patent No. 4,972,323 (Cauwet) is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both the Cauwet reference and applicant relate to the field of

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engraving. The Cauwet reference was not used to provide a teaching concerning the specific structure that was engraved, nor the shape of the resulting engraving, but was used (as can be seen in the above rejection based on Jacquerod in view of Cauwet) to provide a teaching that laser and mechanical engraving tools are both known types of engraving tools. Any appropriate or desired structure could be engraved thereby with any desired engraved depression utilizing such a known tool, including the dimples taught by Jacquerod. Additionally, it is noted that as claims 32 and 33 which include these process limitations (i.e., how the substructure was brought in) are product by process claims, which claimed product is taught by the Jacquerod patent, the method of forming the substructures or dimples is irrelevant as the patentability of a product in such a claim does not depend on its method of production. (See the above explanation regarding product by process claims found in the rejection of these claims based on Jacquerod and Cauwet).

Regarding applicant's assertion that the Shima reference (U.S. Patent No. 4,949,270) does not teach removing an area to a desired depth, applicant's attention is directed to column 1, lines 13-15 as described in the above rejection based thereon.

In response to applicant's arguments regarding claims 1-3, 5-11, 14, and 16-20 that the Shima references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the step of calculating a tool path ... so that the area enclosed by the outer contour can be engraved automatically and without specifically determining coordinates for the tool path", nor any structure to support such a



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applicant's attention is directed to the above 103 rejection based on Shima which states "Shima et al. does not specifically teach that the method of cutting is used for an embossing plate." and "However, the machining method taught by Shima et al. can be used to machine a pocket of a desired contour into any workpiece having an accessible surface. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the method of the present invention to machine a desired contour into a printing plate, since a printing plate is a workpiece with an accessible surface."

In response to applicant's assertions on page 11, in paragraphs 6 and 7, that "the Cauwet patent, like the Shima patent, fails to disclose or suggest the step of calculating a tool path by determining the outer contour and the desired depth of an area to be engraved, as claimed, so that the area enclosed by the outer contour can be engraved automatically and without specifically determining coordinates for the tool path.", and "the Jacquerod patent, like the Cauwet and Shima patents, fails to disclose or suggest the claimed step of calculating a tool path by determining the outer contour and the desired depth of an area to be engraved", as described above, the latter half of the first statement (beginning "so that the area") is not claimed in the rejected claims, and limitations from the specification are not read into the claims. Additionally, the specific step of "calculating" or any details relating thereto is not claimed. Note that what is claimed is a "tool track located within the desired contour being determined from the desired contour

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and a predetermined desired depth determining a penetration depth of the engraving tool". Firstly, Shima does teach machining a desired contour or pocket as described in the above rejection based thereon. Inherently, if that pocket is to be machined, the tool path must be within that desired contour. Secondly, as described above, the Shima reference does indeed teach utilizing a predetermined depth of cut.

18. Applicant's arguments with respect to claim 36 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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***Contact Information***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica Cadugan whose telephone number is (703) 308-6395. The examiner can normally be reached on Monday through Thursday from 7:30 a.m. to 5:00 p.m, and every other Friday from 7:30 a.m. to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A.L. Wellington can be reached at (703) 308-2159. The fax number for TC 3700 is (703) 305-3579. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist whose telephone number is (703) 308-1148.

*EEC*

eec

April 11, 2001

*A. L. Wellington*  
A. L. WELLINGTON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700



Creation date: 06-24-2004  
Indexing Officer: SROLLINS - SHARON ROLLINS  
Team: OIPEBackFileIndexing  
Dossier: 09147398

Legal Date: 07-13-2001

No.	Doccode	Number of pages
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